

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:

Case No.: 16-bk-12356-jlg

Chapter 13

NEELAM TANEJA,

Debtor,

**Adversary Proc. No.: 17-ap-01027-cgm**

vs.

THE HEALTH LAW FIRM, et al.,

Creditor/Defendant.  
-----x

**CREDITOR, THE HEALTH LAW FIRM'S FILING OF THE DEBTOR'S  
UNSIGNED, UNDATED "DEBTOR'S MOTION FOR RECONSIDERATION AND  
MOTION TO VACATE ORDER OF SUMMARY JUDGMENT & OBJECTION TO  
SANCTION OF THE DEBTOR" [SIC] SERVED ON JUNE 12, 2017**

COMES NOW Creditor/Defendant, The Health Law Firm, and files the attached unsigned, undated "Debtor's Motion for Reconsideration and Motion to Vacate Order of Summary Judgement & Objection to Sanction of the Debtor" [sic] which was mailed on June 12, 2017, and received by Creditor/Defendant on June 14, 2017.

1. It is believed that Debtor/Plaintiff Neelam Taneja Uppal is intentionally serving and filing pleadings and motions with incorrect captions, incorrect case numbers, and serving them on the incorrect parties in an attempt to intentionally induce error and confusion in these proceedings and to create additional grounds for her frivolous appeals and motions.

2. Creditor/Defendant The Health Law Firm received the attached unsigned, undated "Debtor's Motion for Reconsideration and Motion to Vacate Order of Summary Judgement &

Objection to Sanction of the Debtor" [sic] on June 14, 2017, its having been mailed on June 12, 2017.

3. In the past the Debtor Neelam Taneja Uppal has argued that she filed documents with the Court that did not appear in the Court's file on this case as an excuse or defense.

4. The attached document served by Debtor Neelam Taneja Uppal has an incorrect case caption and an incomplete and misleading case number on it. As of this date, it does not appear on the Court's docket in the Adversary Proceeding.

5. It appears that Debtor Neelam Taneja Uppal wanted the attached Motion filed; therefore, in an overabundance of caution, we are filing this with the Court in the Adversary Proceeding so that the Court is aware of this Motion and can give it whatever attention it deserves.

#### **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that I have electronically filed the foregoing with the Clerk of Court using the CM/ECF System, which will automatically serve each party that is a registered CM/ECF user for this adversary proceeding; I have also served a copy of this on Debtor Neelam Taneja Uppal (pro se) her via e-mail address: nneel123@aol.com; I have also served a copy of this on Debtor Neelam Taneja Uppal (pro se) by mailing it via U.S. mail, postage prepaid to her at: 1370 Broadway #504, New York, New York 10018; and at Post Office Box 1002, Largo, Florida 33779; and at: 17715 Gulf Boulevard, #705, Reddington Shores, Florida 33782; I further certify that I have also served a copy of the foregoing via U.S. mail, postage prepaid, to the following: Bankruptcy Trustee Jeffrey L. Sapir, Esquire/Jody L. Kava, Esquire, at 399 Knollwood Road, Suite 102, White Plains, New York 10603, and electronically at [info@sapirch13tr.com](mailto:info@sapirch13tr.com); on this 21st day of June 2017.

/s/ George F. Indest III

**GEORGE F. INDEST III, J.D., M.P.A., LL.M.**

Florida Bar No.: 382426

(Admitted Pro Hac Vice)

Primary e-mail: [GIndest@TheHealthLawFirm.com](mailto:GIndest@TheHealthLawFirm.com)

Secondary e-mail: [CourtFilings@TheHealthLawFirm.com](mailto:CourtFilings@TheHealthLawFirm.com)

**THE HEALTH LAW FIRM**

1101 Douglas Avenue

Altamonte Springs, Florida 32714

Telephone: (407) 331-6620

Telefax: (407) 331-3030

**ATTORNEYS FOR CREDITOR,  
THE HEALTH LAW FIRM, P.A.**

Attachment(s):

Debtor/Plaintiff's unsigned, undated "Debtor's Motion for Reconsideration and Motion to Vacate Order of Summary Judgment & Objection to Sanction of the Debtor" [sic] mailed on June 12, 2017 (with copy of service envelope)

GFI/mw

S:\Collections\1516-Uppal, Neelam, MD\006-BR NY\Pleadings-Drafts\Filing of Uppal's Motion to Reconsider.wpd

**UNITED STATES BANKRUPTCY COURT OF APPEALS  
SOUTHERN DISTRICT OF NEW YORK**

**In Re:**

**Neelam T. Uppal,  
Debtor.**

**Case No.: 17-1027-cgm  
Chapter: 13**

**v.**

**GEORGE INDEST, et al**

\_\_\_\_\_/

**DEBTOR'S MOTION FOR RECONSIDERATION AND MOTION TO  
VACATE ORDER OF SUMMARY JUDGMENT & OBJECTION TO  
SANCTION OF THE DEBTOR**

COMES NOW, the Debtor, respectfully files this MOTION FOR  
RECONSIDERATION AND MOTION TO VACATE SUMMARY  
JUDGMENT, pursuant to precedent case law, and in support of her Affidavit  
thereof, states as follows :

**JURISDICTION:**

This court has Jurisdiction pursuant bankruptcy and 28 U.S.C. 1651 and 28 U.S.C.

## **MEMORANDUM OF LAW IN SUPPORT OF DEBTOR'S MOTION**

### **A. Legal Standard**

**The Court incorrectly granted Summary Judgment in favor of the Plaintiff where genuine issues of material fact exist which were timely raised and objected by the Debtor.**

B. A motion for reconsideration is allowable under either Federal Rule of Bankruptcy Procedure 9023,<sup>1</sup> which incorporates Federal Rule of Civil Procedure 59(e), Motion to Alter or Amend Judgment, or under Federal Rule of Bankruptcy Procedure 9024,<sup>2</sup> which incorporates Federal Rule of Civil Procedure 60, Relief From Judgment or Order. Under Rule 9023, “reconsideration is proper when there has been a manifest error of law or fact, when new evidence has been discovered, or when there is a change in the law.”

C. Rule 3008: Reconsideration of claim

### **STATEMENT OF FACTS:**

1. The Debtor filed an **Answer and Objection** ( See attached) to the Motion for Summary Judgement. However, that was not scanned and entered into the docket of the Adversary proceeding. Your Honor looked at the docket only during the hearing and my pleadings were not on there. This is denial of “Due process” to the litigant and

prejudice against the Debtor. (As pro se litigants are not allowed to file electronically in the Southern District of New York, Bankruptcy court.)

2. As reported before ( **See Exhibits**):

3. I retained Mr. Indest. He took the retainer of \$5000.00 and did not take the case at that time. He said he would return the Money but he never did.

4. Defendant then approached Mr. Indest again for exceptions. He took \$4000 more. He was immediately fired after incompetent representation on the Exception, which he made me lose. Then, I filed the appeal pro se and won

He did not file any paperwork for PCP re-consideration. He then refused the case and would not refund the retainer.

The Attorney sent a letter of NON-REPRESENTATION to the DOH prosecutor.( See Attached)

5. Defendant Neelam Uppal filed Bankruptcy and HEALTHLAWFIRM created a fraudulent bill of \$25,000 and then created another Fraudulant bill of \$60,000.00 and now changed it to 101,000.

6. In this bankruptcy, he violated stay by writing pleading to the Appellate court not to abide by the Automatic stay in effect inan effort to enforce his debt and was able to manipulate the court.

7. In the hearing on June 1, 2017, Mr. Indest committed perjury by stating that he had sent me a Notice on May 5<sup>th</sup>, 2015.

8. I received only the motion and then the Hearing Notice.( See attached)

9. He is getting Judgments based on deceptive tactics and trying to get me sanctioned during this bankruptcy.
10. The debtor was allowed a Writ of Madnamus by the Supreme Court of Florida. (see attached). But since the debtor was pro se, it was not done right and was dismissed. The
11. Notice for Writ to the US supreme court was submitted by Mr. Indest to your Honor, which is still pending.
12. It is not in the interest of the Debtor that an escalated Fraudulant claim be allowed, especially, when the trustee wants to dimiss the case based on the limit of the debt.

WHEREFORE, the Debtor, respectfully prays this Honorable Court:

13. Find that the Creditor violated the automatic stay by doing collection action during bankruptcy.
14. Find the creditor's attorney bill created after termination of services is Fraudulent .
15. Find that Mr. Indest, who appeared Pro Se, committed perjury by intentionally lying about serving the debtor with the 21 day Notice Of Withdrawal as required by Rule 9011.
16. Sanction the creditor, George F. Indest III and Health law Firm under 9011, 18 U.S.C. 1001, Debtor Harassment, Tortuous Interference with Business and Perjury.

17. Declare that the Debt is invalid as it is being disputed in the US Supreme court.

18. WHEREFORE, because the creditor's motion for Summary

Judgement is not supported by facts therein, and there is dispute of material facts, such that, the Debtor, respectfully, requests that the Creditor's Motion for Summary Judgment be denied, and the prays to this court to grant the Debtor's motion and any other such relief that the Court deems just and proper.

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**NEELAM UPPAL, PRO, SE**

***P.O BOX 1002.***

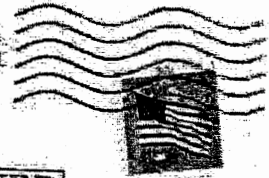
***LARGO, FL-33779***

***PH. - (727)-403-0022***

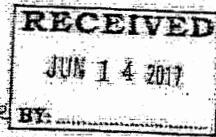


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To  
Healthcare firm  
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